

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – June 5, 2009
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:03 a.m. and adjourned at 10:25 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Norby, Pallinger, Riess, Woods

Commissioners Absent: None

Advisors Present: Sinsay, Lantis (DPW); Taylor (OCC)

Staff Present: Aquino, Blackson, Farace, Gibson, Giffen, Grunow, Hofreiter, Lowe, Lubich, Russell, Sha-lom, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of May 8, 2009

Action: Riess - Brooks

Approve the Minutes of May 8, 2009.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 0 - None

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Requests for Continuance

F. Formation of Consent Calendar: Items 3 (P08-050), 4 (P08-033), 5 (P89-027W¹), 6 (P04-031W¹), 7 (P04-050) and 8 (P06-032)

PAA 08-009, Agenda Item 1:

1. Tavarez, Plan Amendment Authorization, PAA 08-009, Valley Center Community Plan Area (continued from May 22, 2009)

Requested Plan Amendment Authorization (PAA) for permission to submit an application that would change the parcel's General Plan Regional Land Use Category from (18) Multiple Rural Use to (11) Office-Professional. Board of Supervisor's Policy I-63 allows property owners or other interested persons to present a private request to the Director of Planning and Land Use to initiate a General Plan Amendment through the Plan Amendment Authorization Process. The Director of Planning and Land Use has determined not to initiate this Plan Amendment Authorization; therefore, the property owner is requesting that it be initiated by the Planning Commission. The project site is located at 30665 Old Highway 395 in the Valley Center Community Plan Area.

Staff Presentation: Brown

Proponents: 0; **Opponents:** 0; **Neutral:** 1

Discussion:

Following additional meetings with Staff as directed by the Planning Commission on May 22, 2009, the applicant has elected to withdraw his application for Plan Amendment Authorization 08-009, with the understanding that he will either obtain a Building Permit for the onsite modular building or remove it. If the modular building is to remain, its use will be limited to those activities associated with the existing agricultural use. Staff explains that no further Code Enforcement action will be taken with respect to the unpermitted office building until the Board of Supervisors considers the County's General Plan Update, in that it might become possible to obtain a Permit to allow very limited commercial operations in areas zoned for large-lot residential uses. Staff will provide an update on this issue with the next General Plan Update status report.

All of the Planning Commissioners are pleased that a resolution has been reached, but several Commissioners express concern that the PAA process initially seemed to be the applicant's only recourse. They remind Staff that the applicant has invested much time and expense in his attempt to correct the zoning violations. The applicant has indicated that some of the information he originally received from former Staff members was inaccurate, and the Planning Commission trusts that Staff will be lenient with respect to fees when the applicant submits his application for a Building Permit.

PAA 08-009, Agenda Item 1:

Action: Riess - Brooks

Accept the applicant's withdrawal of PAA 08-009 and allow the applicant to proceed with Staff's newly developed recommendations.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0-	None

**GPA 05-005, R05-013,
TM 5444RPL⁴ and S05-047, Agenda Item 2:**

**2. Lake Jennings Village, General Plan Amendment (GPA) 05-005, Zone
Reclassification R05-013, Tentative Map 5444RPL⁴ and Site Plan S05-
047, Lakeside Community Plan Area**

Proposed two-story 160-unit residential condominium complex on a 13.10-acre site located at the intersection of Olde Highway 80 and Lake Jennings Park Road. The complex will include community recreation facilities and an open space easement along Los Coches Creek. The project includes vacation of Pecan Lane and extension of Rios Canyon Road to form a T-intersection with Old Highway 80. It will be served by the Lakeside Sanitation District and Padre Dam Municipal Water District. A General Plan Amendment (GPA 05-005) and Zone Reclassification are proposed to result in an (8) Residential, and RU13 Residential zoning. The existing Land Use Designations are (5) and (8) Residential, (13) General Commercial, and (14) Service Commercial; the existing Zoning is RS7 Residential, A70 Limited Agriculture, C37 Heavy Commercial, and C44 Freeway Commercial. The project also includes a Tentative Map (TM 5444RPL⁴) and Site Plan (S05-047).

Staff Presentation: Hofreiter

Proponents: 6; **Opponents:** 7

Discussion:

This project was originally presented to the Planning Commission and the Board of Supervisors as a three-story structure. The Board of Supervisors ultimately referred the proposal back to Staff with directions that it be redesigned as a two-story structure with a 35' height limitation. Staff was also directed to ensure that the project meets the various guidelines set forth by the Lakeside Design Review Board. Staff and the applicant believe this has been accomplished in the design presented to the Planning Commission today.

Commissioner Day is somewhat perturbed that this project is being presented to the Planning Commission instead of going back to the Board of Supervisors. He points out that today's proposal is less impactful than the original project. Commissioner Day reminds everyone that the project meets all Zoning Ordinance and CEQA requirements, and each entity responsible for reviewing or providing input on the proposal has recommended approval. Commissioner Day states the applicant has incurred a great deal of additional expense redesigning the project and reiterates his opinion that it should have gone directly back to the Board of

GPA 05-005, R05-013,

TM 5444RPL⁴ and S05-047, Agenda Item 2:

Supervisors. Staff explains that State Government Code Section 65857 requires any zoning modifications not previously considered by the Planning Commission be presented to them.

The Planning Commissioners are not enthusiastic with the aesthetics of the redesigned project, noting the absence of decorative brickwork and landscaping that was to be provided in the original design. Commissioner Beck informs the applicant that scientific studies have proven certain types of trees actually prevent the spread of embers during fires. The applicant's representative explains that community representatives believed the previous design was a bit ostentatious for this community.

The applicant's representatives and several neighboring property owners concur with Staff's recommendation that the project should be approved and they urge the Planning Commission to do so. They remind the Commission that the proposal solidifies onsite uses (residential) and zoning (also residential) on the property, and the project reflects the somewhat urban character of the area. The applicant's representatives inform the Planning Commission that road improvements will be provided to relieve existing traffic problems and accommodate the minor increase in traffic resulting from development of this project. The applicant also will provide improvements along Old Highway 80 along Lake Jennings Park Road.

Project opponents are concerned about increased traffic and the adequacy of road improvement provisions. They also recommend that Pecan Park Lane redesigned, but they are reminded that this is a public road and residents along the road utilize it for access. Project opponents contend that the proposal remains incompatible with the character of the community. They voice concerns about the water supply, and also insist that the proposal lacks amenities for children. They maintain that the redesigned project is still too large, and state their preferences for a more attractive structure with more landscaping than what is being proposed.

Action: Day - Brooks

Recommend that the Board of Supervisors:

- a. Adopt the Resolution approving GPA 09-001;
- b. Adopt the Form of Ordinance changing the zoning classification of certain property in the Lakeside Community Plan Area (Ref: R05-013);

GPA 05-005, R05-013,

TM 5444RPL⁴ and S05-047, Agenda Item 2:

- c. Adopt the Resolution approving TM 5444RPL⁴, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law; and
- d. Grant Site Plan S05-047, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, the Noise Ordinance and State Law.

Discussion of the Action:

Commissioner Beck reminds the applicant's representative that a stream courses behind the project site, and seeks assurance that any invasive plant species will be removed during project grading. Commissioner Brooks recommends that stop signs be provided at the eastern and western exits of the project site, to reduce concerns about safe egress. Chairman Woods recommends that the façade brickwork proposed in the original project be included with this redesigned proposal. Commissioner Norby concurs with Chairman Woods and, after being informed that the applicant is attempting to adhere to the Planning Group's preferences, recommends that the applicant investigate adding some sort of contrasting material to the stucco façade.

Commissioner Day remains concerned about the financial implications of the requirement that this project be re-presented to the Planning Commission. He requests that Staff return with a summary of all projects that must be remanded back to the Planning Commission per Government Code Section 65857 and asks that staff include an estimate of these costs.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P08-050, Agenda Item 3:**3. Chocolate Summit, Major Use Permit P08-050, Alpine Community Plan Area**

Requested Major Use Permit to authorize the construction and operation of an unmanned wireless facility 9689 Chocolate Summit Drive in the unincorporated portion of El Cajon. The facility consists of concealing three panel antennas inside a 20'6" faux chimney structure mounted on top of an existing detached garage. Associated equipment will consist of one mini equipment cabinet enclosed by an 8' tall high Concrete Masonry Unit (CMU) wall. Both the proposed faux chimney and equipment enclosure will have wood siding and trim painted to match the existing structures onsite. The project will occupy 100 square-feet of the 2.5-acre parcel. The project is subject to the 1.3 Estate Development Area General Plan Regional Category and the (17) Estate Residential General Plan Land Use Designation. The subject property is zoned A70 (Limited Agriculture).

Staff Presentation: Lubich

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Beck

Grant Major Use Permit P08-050, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, Noise Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0-	None

P08-033, Agenda Item 4:

4. Riverview Farm Wireless Telecommunications Facility, Major Use Permit P08-033, Lakeside Community Plan Area

Requested Major Use Permit to allow construction and operation of an unmanned wireless telecommunication facility at 9464 Emerald Grove Avenue. The facility will include 12 panel antennas mounted on an existing water tank. Associated equipment including a generator placed within a sound house and equipment cabinets that will be enclosed by a concrete masonry unit wall. The project is subject to the Current Urban Development Area (CUDA) General Plan Regional Category, the (5) Residential Land Use Designation, and is zoned RS4 (Residential).

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Beck

Grant Major Use Permit P08-033, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, Noise Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0-	None

P89-027W¹, Agenda Item 5:**5. Coral Reef Properties, LLC Equestrian Facility (Delta Farm Improvements), Major Use Permit Modification, P89-027W¹, San Dieguito Community Plan Area**

Proposed Modification to an existing Major Use Permit (P89-027) for an existing equestrian facility with boarding and breeding of up to 30 horses. The Modification will include refurbishment of an existing stable, bullpen, crossties, and storage building approved under the original Major Use Permit, as well as the construction of a covered riding arena, grooms' quarters with garage, carport, hay storage building, covered mechanical walker, five covered crossties and an arbor. No expansion of capacity of the facility or event usage is proposed. The site is subject to the Environmentally Constrained Area (ECA, Policy 1.6) Regional Category, and the (21) Specific Plan Area Land Use Designation in the Fairbanks Ranch Specific Plan. Zoning for the site is A70 (Limited Agriculture) with an "F" Special Area Designator (Floodplain Area Regulations), which applies to properties subject to inundation under 100-year frequency flood conditions. The project site is located at 16013 Via De Santa Fe in the San Dieguito Community Plan Area.

Staff Presentation: Shalom

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Beck

Grant Major Use Permit Modification P89-027W¹, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, Noise Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P04-031W¹, Agenda Item 6:**6. Crows Nest Wireless Telecommunications Facility, Major Use Permit P04-031W¹, Crest-Dehesa-Granit Hills-Harbison Canyon Community Plan Area**

Requested Major Use Permit Modification to authorize construction, operation, and co-location of an unmanned wireless facility at 987 Crows Nest Lane in the unincorporated portion of El Cajon. The facility includes an existing 35' tall faux broadleaf tree onto which three panel antennas will be mounted. Associated equipment will consist of one mini-equipment cabinet and will be enclosed by an 8' tall high concrete masonry unit wall. The project will occupy 14 square feet square-feet of the 22.53-acre project site. The project site is subject to the 1.3 Estate Development Area (EDA) Regional Category and the (18) Multiple Rural Use Land Use Designation. The site is zoned A72 (General Agriculture). The application is a Modification of a previously approved Major Use Permit (P04-031).

Staff Presentation: Lubich

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Beck

Grant Major Use Permit P04-031W¹, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, Noise Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0-	None

P04-050, Agenda Item 7:**7. Rancho Verona Group Care Facility Major Use Permit P04-050, North County Metropolitan Subregional Plan Area**

Requested Major Use Permit to allow operation of a Group Care Facility with a maximum capacity of 29 residents. The proposed project includes realignment of a portion of the driveway inside the property line; widening the emergency access road connecting to North Centre City Parkway; construction of an enclosure for recycling materials; a gravel turnaround for recycling trucks; and construction of a noise attenuation wall. The project site is currently operating as an existing Group Care Facility with four single-story structures on a 9.75-acre lot. The proposed project would not require construction of any additional structures. Primary access is located in the southeastern corner of the project site on Jesmond Dene Road. The project site would contain four parking areas with a total of 24 parking spaces. The site is subject to the Current Urban Development Area (CUDA) Regional Category, and the (1) Residential Land Use Designation. Zoning for the site, located at 25720 Jesmond Dene in the Hidden Meadows Community Plan Area is RR1 (Rural Residential).

Staff Presentation: Lubich

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Beck

Grant Major Use Permit P04-050, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, Noise Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P06-032, Agenda Item 8:**8. Cricket/Felicita Park, Major Use Permit P06-032, North County Metropolitan Subregional Plan Area**

Requested Major Use Permit to authorize construction and operation of an unmanned wireless telecommunications facility at 742 Clarence Lane. The facility will include a 50' tall mono-broadleaf tree onto which three panel antennas will be mounted (each antenna to be covered with leafy screening materials). Associated equipment will consist of one Nortel CMO equipment cabinet. The equipment will be enclosed by a 13'x10' tall concrete masonry unit block wall with a gabled roof, designed to match the neighboring enclosure for an existing unmanned wireless telecommunications facility onsite. The project will occupy approximately 240 square feet of the 52-acre parcel.

Staff Presentation: Lowe

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Beck

Grant Major Use Permit P06-032, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, Noise Ordinance and State Law.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

Administrative:

G. Report on actions of Planning Commission's Subcommittees:

No reports were provided.

H. Board of Supervisors Actions:

No report was provided.

I. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

None.

J. Discussion of correspondence received by the Planning Commission:

None.

K. Scheduled Meetings:

June 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 7, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 21, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 2, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 16, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 30, 2009	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room

Administrative:

November 13, 2009 Regular Meeting, 9:00 a.m., DPLU Hearing Room

December 4, 2009 Regular Meeting, 9:00 a.m., DPLU Hearing Room

December 18, 2009 Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 10:25 a.m. to 9:00 a.m. on June 19, 2009 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.